

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**MALIBU MEDIA, LLC,**

\*

**Plaintiff,**

\*

**CASE NO.: 1:14-cv-00750-WMN**

**v.**

\*

**JOHN DOE subscriber assigned IP address  
68.33.27.132,**

\*

\*

**Defendant.**

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**PLAINTIFF’S MEMORANDUM IN OPPOSITION TO DEFENDANT’S MOTION TO  
QUASH**

Plaintiff respectfully requests the Court deny Defendant’s Motion to Quash. Defendant’s letter to the Court does not articulate any reason under Fed. R. Civ. P. 45 as to why the Court should quash the subpoena. Further, a denial of infringement is not considered an adequate legal basis to quash the subpoena. *See Malibu Media, LLC v. Doe*, CIV. JKB-13-512, 2013 WL 6577039 (D. Md. Dec. 12, 2013) (“The Plaintiff is not required to prove its contentions at this stage. It has presented colorable claims that each of the Defendants have illegally downloaded Plaintiff’s copyright-protected product. Plaintiffs are entitled to move forward to the next stage in this litigation.”)

While Defendant’s letter does not state adequate grounds to quash the subpoena, if Plaintiff’s initial investigation (prior to any possible deposition) confirms the veracity of Defendant’s depiction of hardship, then Plaintiff will voluntarily dismiss its claims against him.

Dated: July 15, 2014

Respectfully submitted,

MALIBU MEDIA, LLC.  
PLAINTIFF

By: /s/Jon A. Hoppe  
Jon A. Hoppe, Esquire #6479  
Counsel  
Maddox, Hoppe, Hoofnagle &  
Hafey, L.L.C.  
1401 Mercantile Lane #105  
Largo, Maryland 20774  
(301) 341-2580

**CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/Jon A. Hoppe